

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**V.**

**DKYLE JAMAL BRIDGES and  
KRISTIAN JONES**

:  
:  
:  
:  
:  
:  
:  
:

**CRIMINAL NUMBER 18-193**

**ORDER**

**AND NOW**, this                      day of                      , 2018, having considered Defendants' Joint Motion to Suppress Identifications, and the government's Response thereto, it is hereby **ORDERED** the Motion is **GRANTED**. Any unduly suggestive and unreliable identifications of Defendants Bridges and Jones are hereby **SUPPRESSED**.

**BY THE COURT:**

---

**HON. NITZA I. QUIÑONES ALEJANDRO**  
United States District Court Judge

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**V.**

**DKYLE JAMAL BRIDGES and  
KRISTIAN JONES**

:  
:  
:  
:  
:  
:  
:  
:

**CRIMINAL NUMBER 18-193**

**DEFENDANTS' JOINT MOTION TO SUPPRESS IDENTIFICATIONS**

Defendants Dkyle Jamal Bridges and Kristian Jones, by and through counsel, Andrew Montroy, Esquire, and Leigh M. Skipper, Chief Federal Defender, respectfully move the Court to suppress any out-of-court identifications by government witnesses of defendants that are unduly suggestive and inherently unreliable, and any future in-court identification by those witnesses that would be impermissibly tainted by their suggestive out-of-court identification.

The defense has requested from the government any photo arrays provided to witnesses during interviews with the Federal Bureau of Investigation. To date, the government has not provided any such photos in discovery. It appears from the FBI report of witness statements that several identifications of the defendants arose from single-photographic displays. But the Supreme Court has explicitly found that “identifications arising from single-photograph displays may be viewed in general with suspicion.” *Manson v. Braithwaite*, 432 U.S. 98, 116 (1977). Any out-of-court identifications made as a result of single-photograph displays therefore must be suppressed. And it follows that any future in-court identification by those witnesses would be impermissible tainted by the previous suggestive out-of-court identification and must also be precluded.

Because the defense has not yet received any photo arrays shown to witnesses, however, the defense reserves the right to supplement this Motion and move to suppress specific photo arrays provided in discovery.

**WHEREFORE**, for the reasons set forth in the accompanying Memorandum of Law, as well as any which may become apparent at a hearing or the Court deems just, Defendants Dkyle Jamal Bridges and Kristian Jones respectfully request that the Court grant this Motion and suppress any identifications by government witnesses of defendants that are unduly suggestive and inherently unreliable.

Respectfully submitted,

/s/ Andrew Montroy  
ANDREW MONTROY, ESQUIRE

/s/ Leigh M. Skipper  
LEIGH M. SKIPPER  
Chief Federal Defender

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**V.**

**DKYLE JAMAL BRIDGES and  
KRISTIAN JONES**

:  
:  
:  
:  
:  
:  
:  
:

**CRIMINAL NUMBER 18-193**

**MEMORANDUM OF LAW IN SUPPORT OF  
DEFENDANTS' JOINT MOTION TO SUPPRESS IDENTIFICATIONS**

Defendants Dkyle Jamal Bridges and Kristian Jones submit this memorandum of law in support of their Joint Motion to Suppress Identifications. Out-of-court identifications carry great potential for misidentification. An identification procedure which is “both (1) unnecessarily suggestive and (2) creates a substantial risk of misidentification violates due process” and must be suppressed. *United States v. Brownlee*, 454 F.3d 131, 137 (3d Cir. 2006) (citing *Manson v. Braithwaite*, 432 U.S. 98, 107 (1977)). Under information and belief, the out-of-court identification procedures utilized in the investigation of defendants’ case involved single-photograph displays, and therefore were unduly suggestive and led to certain government witnesses making unreliable identifications. Consequently, their out-of-court identification must be suppressed. *See Manson v. Braithwaite*, 432 U.S. 98, 116 (1977) (“[I]dentifications arising from single-photograph displays may be viewed in general with suspicion.”); *United States v. Mark*, No. 2006-80, 2007 WL 2669570, at \*6-7 (D.V.I. Sept. 5 2007) (suppressing out-of-court identifications, and, as a result, tainted in-court identifications, as unreliable due to “unduly suggestive” identification procedures—witnesses who positively identified defendant pursuant to a single photograph by referring to him by his nickname). And it follows that any future in-court

identification by those witnesses would be impermissibly tainted by the prior suggestive out-of-court identifications and must also be precluded.

Because the defense has not yet received any photo arrays shown to witnesses, however, the defense reserves the right to supplement this Motion and move to suppress specific photo arrays provided in discovery.

WHEREFORE, defendants respectfully request that the Court grant their Motion and suppress any identifications by government witnesses of defendants that are unduly suggestive and inherently unreliable.

Respectfully submitted,

/s/ Andrew Montroy  
ANDREW MONTROY, ESQUIRE

/s/ Leigh M. Skipper  
LEIGH M. SKIPPER  
Chief Federal Defender

**CERTIFICATE OF SERVICE**

We, Andrew Montroy, Esquire, and Leigh M. Skipper, Chief Federal Defender, hereby certify that we electronically filed and served a copy of Defendants' Joint Motion to Suppress Identifications and Memorandum of Law in Support thereof upon Seth M. Schlessinger, Assistant United States Attorney, United States Attorney's Office, Suite 1250, 615 Chestnut Street, Philadelphia, Pennsylvania 19106 and upon Jessica L. Urban, Esquire, Trial Attorney, United States Department of Justice, Criminal Division, 1400 New York Avenue, N.W., Washington, D.C. 20005.

/s/ Andrew Montroy  
ANDREW MONTROY, ESQUIRE

/s/ Leigh M. Skipper  
LEIGH M. SKIPPER  
Chief Federal Defender

DATE: October 18, 2018